

California Breastfeeding Laws and Resolutions

As of January 1, 2002

Here are some California laws and resolutions that may be of interest to employers and/or employees. For the full text of the law or resolution, click on the title of the legislation or go to www.assembly.ca.gov.

1997: Personal Rights: Breastfeeding

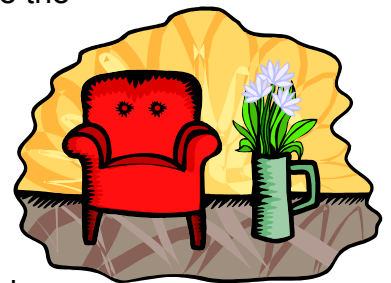
Section 43.3 of the Civil Code.

This law provides that a mother may breastfeed her child in any location, public or private, except the private home or residence of another, where the mother and child are authorized to be present.

1998: Breastfeeding at Work

Resolution Chapter 152.

The California legislature encourages the State of California and all California employers to strongly support and encourage the practice of breastfeeding by striving to accommodate the needs of employees, and by ensuring that employees are provided with adequate facilities for breastfeeding, or the expressing of milk for their children; and that the Governor declare by executive order that all State of California employees shall be provided with adequate facilities for breastfeeding or the expressing of milk.



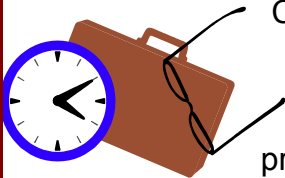
2000: Jury Service: Breastfeeding

Section 210.5 to the Code of Civil Procedure.

This law exempts breastfeeding mothers from jury duty, and requires the State to take steps to eliminate the need for the mother to appear in court to make this request.

2002: Lactation Accommodation.

Chapter 3.8, Section 1030, Part 3 of Division 2 of the Labor Code.



This law requires all California employers to provide a reasonable amount of break time and make a reasonable effort to provide a private space, other than a toilet stall, close to the employee's work area, to accommodate an employee desiring to express breastmilk for her baby. The break time shall be unpaid if the break time does not run concurrently with the rest time authorized for the employee. An employer is not required to provide break time for pumping if taking break time beyond the usual time allotted for breaks would seriously disrupt the operations of the employer. Violation of this chapter is subject to a civil penalty of \$100.